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AD HOC GROUP ON ARTICLE 13
Fifth session
Bonn, 28-30 July 1997
Item 2 (a) of the provisional agenda

PROVISIONAL AGENDA AND ANNOTATIONS

Note by the Executive Secretary

I. INTRODUCTION

1. Arrangements have been made for the fifth session of the Ad Hoc Group on Article 13 (AG13) to be held at the Hotel Maritim, Bonn, from 28 to 30 July 1997. The session will be opened by the Chairman at 3 p.m. on Monday, 28 July 1997.

II. PROVISIONAL AGENDA

2. The provisional agenda for the fifth session of the AG13, proposed after consultation with the Chairman, is as follows:

1. Opening of the session.

2. Organizational matters:

   (a) Adoption of the agenda;
   (b) Organization of the work of the session;
   (c) Organization of the work of future sessions.

3. Functions and procedures of any multilateral consultative process.

4. Report on the session.

III. ANNOTATIONS TO THE PROVISIONAL AGENDA

1. Opening of the session

3. The fifth session of the AG13 will be opened by the Chairman at 3 p.m. on Monday, 28 July 1997.

2. Organizational matters

(a) Adoption of the agenda

4. The provisional agenda for the fifth session of the AG13 is presented for adoption (see paragraph 2 above). The provisional agenda has been recast from that proposed at the previous session to reflect the shift in emphasis towards focused consideration of issues identified in annex II to the report of the AG13 on its fourth session (FCCC/AG13/1997/2).

(b) Organization of the work of the session

(i) Documentation

5. The provisional agenda has been drawn up taking account of the expected availability of documentation in the six languages of the United Nations.

6. A list of documents relating to the provisional agenda, as well as other documents available at the session, is contained in annex I below.

7. In accordance with the conclusions of the AG13 at its fourth session, the main document for the session will be the multilateral consultative process found in annex II of the final report of the fourth session (FCCC/AG13/1997/2). Any written proposals from Parties received by the secretariat by 1 June 1997 will be made available in a miscellaneous document (FCCC/AG13/1997/MISC.2).

(ii) Schedule

8. The scheduling of meetings for the session will be based on the availability of facilities during normal working hours, when services are available for one meeting with interpretation from 10 a.m. to 1 p.m. and from 3 p.m. to 6 p.m. There will also be some facilities available for informal meetings without interpretation, should they be needed. Delegations are urged to use these facilities fully by starting all meetings promptly at the scheduled time. A suggested approach to the organization of work is contained in annex II below.

(c) Organization of the work of future sessions

9. The AG13 may wish to consider how it should proceed in the period after the third session of the Conference of the Parties (COP3) scheduled for December 1997. The fifth session of the AG13 in July will be its last session before the third session of the COP, and, in this regard, the following elements and suggestions are put forward for consideration.

10. At its first session, by its decision 20/CP.1, the COP established the AG13 to study all issues relating to the establishment of a multilateral consultative process and its design, and requested the AG13 to report its findings to the COP at its second session (FCCC/CP/1995/7/Add.1). Having considered the report of the AG13 on its first session (FCCC/AG13/1995/2), the COP decided that the work of the AG13 should continue beyond the second session of the COP, and by its decision 4/CP.2 requested the AG13 to report to the third session of the COP on the progress of its work, if its work would not be completed by that time (FCCC/CP/1996/15/Add.1).

11. The AG13 will need to consider the report to the third session of the COP. If the Group concludes that its work may not be completed, it will need to plan its future programme of work for 1998-1999. In this regard, it may wish to consider making a provisional request for two sessions, each consisting of six meetings, to be held concurrently with meetings of the other subsidiary bodies, to complete its work and transmit the results to the fourth session of the COP, for finalisation and subsequent adoption. In planning its future sessions, it may also wish, as far as possible, to avoid scheduling conflicts with sessions of the Subsidiary Body for Implementation (SBI).

3. Functions and procedures of any multilateral consultative process

12. The fourth session of the AG13 decided to include a compilation text on a multilateral consultative process in annex II of the report of the session, without prejudice to any decision on the establishment of any multilateral consultative process (FCCC/AG13/1997/2). The conclusions of the AG13, at its fourth session, and any further proposals received from Parties, were seen as providing a useful basis for more substantive deliberations for its work at the fifth session, and for making a report to the third session of the COP.

4. Report on the session

13. The relatively short length of the session, as well as the nature of the discussion, may affect the extent to which a draft text of the report on the work of the session will be available at the end of the session. Should this be the case, the AG13 may wish to adopt decisions or texts of substantive conclusions under the relevant items of the agenda and authorize the Rapporteur, to complete the report after the session, under the guidance of the Chairman and with the assistance of the secretariat. While every effort will be made to have conclusions available in all languages, this will only be possible if sufficient time is available for translation.

Annex I

DOCUMENTS BEFORE THE AD HOC GROUP ON ARTICLE 13 AT ITS FIFTH SESSION

Documents prepared for the session

FCCC/AG13/1997/3	Provisional agenda and annotations
FCCC/AG13/1997/MISC.2[1]	Scope and elements of the procedure of any proposed mechanism: Submissions from Parties

Other documents for the session

FCCC/AG13/1997/2	Report of the Ad Hoc Group on Article 13 on the work of its fourth session, Bonn, 25-28 February 1997
FCCC/AG13/1997/MISC.1	Scope and elements of the procedure of any proposed mechanism : Submissions from Parties
FCCC/AG13/1996/1	Questionnaire on the establishment of a multilateral consultative process under Article 13: synthesis of responses
FCCC/AG13/1996/MISC.1 and Add.1	Responses to questionnaire relating to the establishment of a multilateral consultative process: submissions by Parties and non-parties
FCCC/AG13/1996/MISC.2 and Add.1	Responses to questionnaire relating to the establishment of a multilateral consultative process: submissions by intergovernmental and non-governmental bodies
FCCC/AG13/1995/2	Report of the Ad Hoc Group on Article 13 on the work of its first session, Geneva, 30-31 October 1995.
FCCC/CP/1995/7 and Add.1	Report of the Conference of the Parties on its first session, held at Berlin from 28 March to 7 April 1995
FCCC/CP/1996/15 and Add.1	Report of the Conference of the Parties on its second session, held at Geneva from 8 to 19 July 1996

[1] In the event that no submissions are received, the document will not be produced.

Documents available at the session for reference purposes

A/AC.237/59	Consideration of the establishment of a multilateral consultative process for the resolution of questions regarding implementation (Article 13)
A/AC.237/MISC.46	Consideration of the establishment of a multilateral consultative process for the resolution of questions regarding implementation (Article 13): submissions from delegations relating to Article 13
FCCC/CP/1995/MISC.2	Consideration of the establishment of a multilateral consultative process for the resolution of questions regarding implementation (Article 13): a review of selected non-compliance, dispute resolution and implementation review procedures

Annex II

PROPOSED SCHEDULE OF WORK OF THE AD HOC GROUP ON ARTICLE 13

	Monday 28 July	Tuesday 29 July	Wednesday 30 July
10 a.m. to 1 p.m.		Item 3 (Functions)	Item 4
3 p.m. to 6 p.m.	Item 1, 2 and 3 (Functions[2])	Item 3 (Procedures[3])	

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[2] Functions of any multilateral consultative process could include items 2, 3, 4, 5, 6, and 13 of annex II of the Report of the fourth session of the AG13 (FCCC/AG13/1997/2) and

[3] Procedures of any multilateral consultative process could include items 1, 7, 8, 9, 10, 11, 12 and 14 of annex II of that document.